

A SUBSTITUTE ORDINANCE BY

02-O-1139

COUNCILMEMBER DEBI STARNES

AN ORDINANCE TO AMEND CHAPTER 10, ARTICLE II, SECTION 10-92(b) OF THE CITY OF ATLANTA CODE OF ORDINANCES SO AS TO PROVIDE AN EXEMPTION FROM THE DISTANCE REQUIREMENT BETWEEN PACKAGE STORES LICENSED TO SELL MALT BEVERAGES AND/OR WINE BY THE PACKAGE FOR THE SWEET AUBURN CURB MARKET AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta has an interest in protecting the public safety and general welfare and does so through the regulation of the sale of alcohol; and

WHEREAS, the City of Atlanta has promulgated legislation which specifically provides that there must be at least 1500 feet between two stores licensed to sell alcohol by the package; and

WHEREAS, certain areas of the City of Atlanta are being revitalized and opportunities to develop businesses that cater to the convenience of neighborhood residents therein have been created; and

WHEREAS, the Sweet Auburn Curb Market desires to offer residents of the community the opportunity to purchase wine and/or malt beverages in a safe, pleasant, attractive and convenient atmosphere; and

WHEREAS, the Sweet Auburn Market will derive less than five (5) percent of its revenue from the sale of such wine and malt beverages by the package and is thereby exempt from all other distance requirements listed in 10-88.1.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

SECTION 1:

That Chapter 10, Article II, Section 10-92(b), of the City of Atlanta Code of Ordinances be amended by adding the following:

(b) Any applicant for a license for the package sale of malt beverages and/or wine within the following areas shall not be required to comply with the distance requirements set forth in Section 10-88.1:

(iii) *That parcel of land known as 209 Edgewood Avenue, S.E., Atlanta, Georgia under the numbering system of the City of Atlanta.*

SECTION 2:

That all ordinances or parts or ordinances in conflict herewith are hereby repealed.